

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	MDL NO. 2327 CASE NO.: <u>2:12-cv-01021</u>
This document relates to: PATRICIA RUIZ, Plaintiffs, vs. ETHICON, INC., et al, Defendants.	

DECLARATION

1. My name is Patricia Ruiz and I am a resident of Tucson, Arizona. I am the Plaintiff in the above-captioned matter. I am 58 years old and have had several pelvic examinations by multiple physicians throughout my adulthood.

2. I travelled to Denver, Colorado on February 29, 2016 and was examined by Dr. Bryan J. Flynn, the physician selected by Ethicon for a pelvic exam.

3. The visit and examination with Dr. Flynn took approximately _60___ minutes.

4. The exam itself was unlike any pelvic exam I had ever experienced previously as a result of the following:

a. The exam was scheduled at 5 pm at a location/address on the subpoena (the driver had this same address) that took us to a shopping mall. No medical office in sight. Through google, the driver and I were able to locate a medical office with a similar address, with an extra digit in it, that was 30 minutes away. We arrived at this new office

at 5:10 pm. The office was locked. I knocked and someone came out and told me I was NOT in the right place, that this was not Dr. Flynn's office. The driver and I left and were just about back to my hotel when Dr. Flynn's office called and told me that the person who had answered the door was WRONG; that Dr. Flynn was 'borrowing' a friend's office and he was now there and ready to see me or possibly at a different time. It was almost 6 pm. After several phone calls, it was determined that the driver would pick me up again from the hotel at 630 pm and take me back to that medical office. I arrived at 7 pm.

The medical history was like nothing I have ever experienced; he jumped around from one year to another, asking questions very quickly, then saying "so let me paraphrase" and then he would say something that was not correct. I would correct him and he would basically scowl at me. His very first question was "What brings you here today?" When I looked at him in amazement, he said "what is your chief complaint?" He concluded that I only have pain with intercourse and made it sound trivial, saying "so you can't have sex, you can't exercise, you were doubled over in pain for a time...what else?"

During the physical exam, the physician was extremely rough. He seemingly had no compassion for the pain I was in and continued to probe long after I said I was in pain. I told him my pain was at least a 4 on two occasions, and he commented "like you need a pain pill", then he probed further and I said that it was now at least a 6, but he did not stop. I was crying, my body was bucking away from him. I have had surgeries, exams my entire adult life and NONE were this rough, or painful, including a colposcopic exam in approximately 2007. I truly felt violated and dirty after this encounter.

In addition, I never saw the doctor wash his hands or use germicide before donning the gloves. He was extremely unprofessional. The young medical assistant did not have experience with this type of exam; she did not even know how to get the stirrups set up and my feet were uneven with one leg bent and the other straight until I said that it needed to be fixed.

At one point while waiting in the exam room for the doctor, fully clothed, a guy in a pair of jogging shorts and t shirt jogged past, and nodded at me. The whole entire experience was bizarre to say the least.

From start to finish this ordeal lasted over 4 hours: the driver picked me up at 4 pm and with all of the driving around trying to find the office, going back to the hotel and then out again, plus the hour long traumatizing office visit, I did not arrive back at the hotel for dinner until well past 8 pm.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this __7th__ day of March, 2016.

Patricia Ruiz
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